

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Bryan G. Cole et al.

Application No.: 10/663,675

Confirmation No.: 2447

Filed: September 17, 2003

Art Unit: 2622

For: METHOD TO FILTER EM RADIATION OF  
CERTAIN ENERGIES USING POLY SILICON

Examiner: M. S. Osinski

**RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction and election of species requirements set forth in the Office Action mailed May 30, 2008, Applicant hereby elects claims 1, 2, 4-22, 24, 26, 27 and 29-32 for continued examination without traverse.

The Examiner has required restriction between Invention I (claims 1-31), drawn to image sensing devices with filters or Invention II (claims 32-57), drawn to fabrication methods of image sensing devices with filters. Applicants elect Invention I (claims 1-31) without traverse.

The Examiner has also required election between Group 1, Figs. 3-6 and Group II, Figs. 7-10. Applicants elect Group I, Figs. 3-6. At least claims 1, 2, 4-22, 24, 26, 27 and 29-32 read on Figs. 3-6. This election is made without traverse.

Applicant's election is made without prejudice. As noted by the Examiner, claim 9 is generic. Upon the allowance of a generic claim, Applicant will be entitled to consideration of